

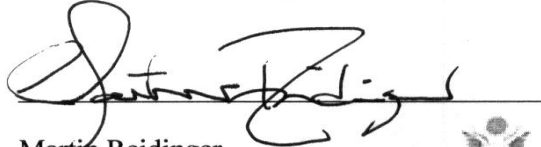
i play. inc., )  
)  
Plaintiff, )  
)  
vs. ) ORDER  
)  
)  
D. CATTON ENTERPRISE, LLC, a )  
New York Limited Liability Company, )  
)  
Defendant. )  
)

On August 16, 2013, the Court entered an Order directing the Plaintiff to show good cause for the failure to effect service on the Defendant Frederick Hart Co., Inc. [Doc. 68]. The Plaintiff now responds to the Court's Order, conceding that its action against this Defendant should be dismissed without prejudice for failure to serve the Defendant in a timely fashion. [Doc. 69].

Accordingly, **IT IS, THEREFORE, ORDERED** that the Plaintiff's action against Defendant Frederick Hart Co., Inc. is hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

Signed: August 28, 2013

  
Martin Reidinger  
United States District Judge

